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Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

NEWS RELEASE

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Live TV Broadcast Approved of Supreme Court Session Next Week

Justices to Hear Case Involving Royalty Payments for Gene-Splicing Method and Death Penalty Appeals

San Francisco—As part of its effort to improve public understanding of state courts, the California Supreme Court has approved a live television broadcast of three cases next week, including *City of Hope v. Genentech, Inc.*, an appeal that involves \$500 million awarded to the City of Hope stemming from Genentech Inc.'s failure to pay royalties for a breakthrough gene-splicing method.

The session will be held from 2:00 to 5:00 p.m. on Tuesday, February 5, 2008, as part of the court's February calendar session at the Stanley Mosk Library and Courts Building, 914 Capitol Mall, Sacramento.

The broadcast is made possible by California Channel, a public affairs cable network with 5.6 million viewers statewide and an audio-visual team from the Administrative Office of the Courts. California Channel will offer live satellite coverage for other networks and TV stations.

A live Webcast of the oral arguments will be available on the California Channel's Web site: www.calchannel.com.

The cases to be televised follow:

***(1) City of Hope National Medical Center v. Genentech, Inc., S129463
(Werdegarr, J., not participating; Lambden, J., assigned justice pro
tempore)***

#05-23 City of Hope National Medical Center v. Genentech, Inc., S129463. (B161549; 123 Cal.App.4th 306; Superior Court of Los Angeles County; BC215152.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case includes the following issue: When an inventor or researcher entrusts a new idea or

(over)

discovery to another under an arrangement providing for the other party to develop, patent, and commercially exploit the idea or discovery in return for royalties to be paid to the inventor or researcher, does a fiduciary relationship arise between the two parties, a breach of which may support tort, and in an appropriate case punitive, damages, or should the arrangement be treated like an ordinary contractual agreement, a breach of which supports only contract and not punitive damages?

(2) People v. Valencia (Alfredo), S051451 [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.

(3) People v. Gay (Kenneth Earl), S093765 [Automatic Appeal] (George, C. J., not participating; Marchiano, J., assigned justice pro tempore)

This matter is an automatic appeal from a judgment of death.

To view the Supreme Court's complete two-day calendar with case summaries, please open this link on the California Courts Web site:

<http://www.courtinfo.ca.gov/courts/calendars/documents/SFEBA08.DOC> .

The Supreme Court is the highest court in California, and its decisions are binding on all other state courts. The court holds oral argument throughout the year in San Francisco, Los Angeles, and Sacramento. Once a year, the court also holds oral argument in an additional location as part its annual court-community outreach program.

For more information, please visit <http://www.courtinfo.ca.gov/courts/supreme/>.

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